

JAP:KDE

UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF NEW YORK

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UNITED STATES OF AMERICA

PRE - ARRAIGNMENT
COMPLAINT

- against -

(21 U.S.C. §§ 952(a) and 960)

JOAN FACENDA DE LA ROSA,

Defendant.

- - - - -X

EASTERN DISTRICT OF NEW YORK, SS:

DAVID SCHRADER, being duly sworn, deposes and states that he is a Special Agent with the United States Department of Homeland Security, Homeland Security Investigations, duly appointed according to law and acting as such.

On or about July 5, 2015, within the Eastern District of New York and elsewhere, the defendant JOAN FACENDA DE LA ROSA did knowingly, intentionally and unlawfully import into the United States from a place outside thereof a substance containing cocaine, a Schedule II controlled substance.

(Title 21, United States Code, Section 952(a) and 960)

The source of your deponent's information and the grounds for his belief are as follows:¹

1. I am a Special Agent with the United States Department of Homeland Security, Homeland Security Investigations ("HSI") and have been involved in the

¹ Because the purpose of this Complaint is to set forth only those facts necessary to establish probable cause to arrest, I have not described all the relevant facts and circumstances of which I am aware.

investigation of numerous cases involving the importation of narcotics, including cocaine, into the United States. I am familiar with the facts and circumstances based upon my review of the investigative file and from reports of other law enforcement officers involved in the investigation.

2. On the evening of July 4, 2015, the defendant JOAN FACENDA DE LA ROSA arrived at John F. Kennedy International Airport (“JFK”) in Queens, New York, aboard Delta Flight number 556 from the Dominican Republic.

3. Customs and Border Protection (“CBP”) officers approached the defendant for a border enforcement examination. The defendant presented a suitcase for inspection. During the examination, the defendant appeared visibly nervous. A baggage examination was completed with negative results.

4. The defendant was escorted to a private search room and a pat-down search was completed, again with negative results. After further questioning by CBP officers, the defendant admitted, in sum and substance and in part, that he had swallowed pellets of cocaine.

5. Shortly after midnight on July 5, 2015, the defendant passed 18 pellets in a restroom in Terminal 4 at JFK. One of the pellets contained a white, powdery substance, which field-tested positive for the presence of cocaine.

6. The defendant was transported to the JFK medical facility. Having previously signed a consent form, an x-ray was taken of the defendant’s intestinal tract, and it showed that foreign bodies were located inside the defendant’s body.


7. The defendant JOAN FACENDA DE LA ROSA will be detained at the JFK medical facility until such time as he has passed all the pellets contained within his intestinal tract.

WHEREFORE, your deponent respectfully requests that the defendant JOAN FACENDA DE LA ROSA be dealt with according to law.



DAVID SCHRADER
Special Agent, United States Department of
Homeland Security, Homeland Security
Investigations

Sworn to before me this
6th day of July, 2015


THE HONORABLE VIKTOR V. POHORELSKY
UNITED STATES MAGISTRATE JUDGE
EASTERN DISTRICT OF NEW YORK